

INQUIRY INTO THE REGULATION OF BROTHELS

Organisation: NSW Users and AIDS Association (NUAA)
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Position: CEO
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**ATTN: The Committee Manager Select Committee on the Regulation of Brothels
Parliament House, Macquarie St Sydney NSW 2000**

To whom it may concern,

The NSW Users and AIDS Association (NUAA) works towards advancing the health, rights & dignity of people who use drugs.

We are writing to make a submission to the Inquiry into the Regulation of Brothels. NUAA recognises that Sex workers are the *key stakeholders* in the process of evaluating the regulation of brothels in NSW and are writing in support of the submissions of Scarlet Alliance and the Sex Workers Outreach Project (SWOP).

The decriminalisation of sex work is essential to recognising the human rights of sex workers in Australia. Sex work has been decriminalised in NSW since 1995 and NSW is world-renowned as having a best practice model. Decriminalisation in NSW has resulted in better outcomes for sex workers and the wider community:

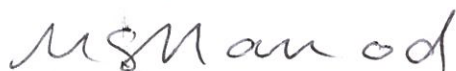
- Extremely low rates of STIs and HIV¹
- Better access to health promotion ²
- No evidence of organised crime ³
- Better access to Occupational Health and Safety ⁴

Worldwide, decriminalisation of sex work could have huge impacts on health and welfare across the broader community including reducing new HIV infections by up to 46% in the next decade. ⁵

Licensing models currently in place in Victoria and Queensland are well-documented policy failures with high levels of non-compliance. Reduced privacy for sex workers through registration may result in increased marginalisation such as harming future work prospects, unfair treatment in court in custody and other matters and limited ability to travel. Perceived and actual harms can result in sex workers not being willing to register, resulting in criminalisation and poor access to health care ^{6 7}

NUAA does not support a licensing model of sex industry regulation for NSW. As a community that has also experienced extreme levels of stigma and discrimination resulting in marginalisation, we advocate decriminalisation as the only rational, evidence-based model. As a peer-based organisation, we understand that further marginalisation through over-regulation of normal human activity results in poor access and ultimately a denial of the human rights of individuals. We recognise that sex work is work and should be recognised as such.

Yours Faithfully,



Mary Ellen Harrod

Megan Stapleton

NSW Users and AIDS Association

References:

¹ Australian Government Department of Health and Ageing, *Sixth National HIV Strategy 2010-2013*, Commonwealth of Australia, Canberra, 2010, 16. Kirby Institute, HIV, Viral Hepatitis and Sexually Transmissible Infections in Australia Annual Surveillance Report, University of New South Wales, 2011, p8, Figure 46, Figure 34.

² Christine Harcourt, J O'Connor, S Egger, C Fairly, H Wand, M Chen, L Marshall, J Kaldor, B Donovan, (2010), 'The Decriminalisation of Prostitution is Associated with Better Coverage of Health Promotion Programs for Sex Workers', *Australian and New Zealand Journal of Public Health*, 34:5 at 482.

³ Land and Environment Court of New South Wales, *Martyn v Hornsby Shire Council* [2004] NSWLEC 614, 2004, accessed at

<http://www.lawlink.nsw.gov.au/lecjudgments/2004nswlec.nsf/00000000000000000000000000000000/45b396e658d9f27eca256f420004a76a?opendocument> on 12 August 2015.

⁴ NSW Government and Workcover, 'Health and Safety Guidelines for Brothels', 2001, accessed at http://www.workcover.nsw.gov.au/__data/assets/pdf_file/0014/15134/brothels_health_safety_guidelines_English_0120.pdf on 12 August 2015.

⁵ The Lancet Series on HIV and Sex Workers, July 2014, accessed at <http://www.thelancet.com/series/HIV-and-sex-workers> on 30 October 2014.